

correctly engrossed, a bill to be entitled "An act supplementary to and amendatory of an act to incorporate the Brazos Bridge Company," approved Sept. 26th, 1866.

Respectfully submitted.

W. M. NEYLAND,  
Chairman Committee on Engrossed Bills.  
COMMITTEE ROOM, }  
Oct. 11th, 1866. }

*Hon. G. W. Jones, President of the Senate :*

The Committee on Engrossed Bills have examined, and find correctly engrossed, the following bills, viz:

A bill to be entitled "An act to amend the 56th section of an act entitled an act to regulate proceedings in the County Court pertaining to the estates of deceased persons," approved March 20th, 1848."

A bill to be entitled "An act authorizing the Secretary of State to furnish the officers of the counties of Cameron, Madison, Houston, Erath and Orange, with Supreme Court Reports."

A bill to be entitled "An act for the relief of the heirs of Berry Doolittle."

A bill to be entitled "An act to incorporate the Jefferson Manufacturing Company."

A bill to be entitled "An act to incorporate the Brownsville Mutual Insurance Company."

Respectfully submitted.

W. M. NEYLAND,  
Chairman Committee on Engrossed Bills.

Senator Shelley, with leave, introduced a bill to incorporate the Corpus Christi and Aransas Pass Canal Company.

Read first time, and referred to Committee on Commerce and Manufactures.

Upon motion of Senator Foscue, the Senate adjourned until to-morrow morning, 9 o'clock.

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SENATE CHAMBER, }  
Oct. 12, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Voigt presented petition of Amanda Earle.

Referred to Committee on Private Land Claims.

Senator Randolph made the following report :

*Hon. G. W. Jones, President of the Senate :*

The Judiciary Committee, to whom was referred a petition of the citizens of Navasota, asking the incorporation of the same, have considered it, and have instructed me to prepare the accompanying bill, and recommend its passage.

B. RANDOLPH, One of Committee.

On motion of Senator Randolph, rule was suspended, bill taken up, read second time, and ordered to be engrossed.

Rule further suspended, bill read third time, and passed.

Senator Yarbrow, Chairman of Committee on Commerce and Manufactures, reports and recommends the passage of a bill entitled "An act to incorporate the Corpus Christi and Aransas Pass Canal Company."

Senator Selman made the following report:

*Hon. Geo. W. Jones, President of the Senate :*

The Committee on Public Lands, to whom was referred a memorial of the citizens of DeWitt county, have had the same under consideration, and believing that the legislation prayed for would be inappropriate and unnecessary, they have instructed me to report the memorial back to the Senate, and ask to be discharged from further consideration of the same.

B. T. SELMAN, Chairman.

Senator Burney introduced a bill entitled "An act to incorporate the Hog Creek Male and Female Academy."

Referred to Committee on Education.

Senator Blount introduced a bill entitled "An act to regulate the sale of spirituous liquors in the town of Denton, in Denton county."

Referred to Committee on Judiciary.

Senator Bumpass introduced a bill granting a charter to Jas. Farris and P. H. Mull to build a toll bridge across the east fork of Trinity river.

Referred to Committee on Roads, Bridges and Ferries.

Message received from his Excellency the Governor.

On motion of Senator Burney, the message was taken up and read; and

Upon motion of Senator Guinn, was laid on the table for the present.

EXECUTIVE OFFICE, }

Austin, Texas, October 11th, 1866. }

*Gentlemen of the Senate and House of Representatives :*

I herewith return to the House of Representatives, in which

it originated, an act entitled "An act declaring A. J. Davis and J. C. Davis citizens of Denton county."

There are several objections to the proposed law in its present shape. 1st. It is directly and palpably in conflict with the 24th Section of the VI Article of the Constitution. It is captioned as an act declaring certain parties citizens of Denton county, when in truth it is a measure to change the boundary line of two counties. This fact would be sufficient warrant for me to return the bill.

2d. The boundary line of Denton county is fixed by law, by course and distance from known points. [See act, creating Denton county, laws of 1846, page 57.] The boundary lines of Cook county are also fixed by law, and are based on the ascertained northern boundary line of Denton county. [See acts of 2d Legislature, page 83.]

The boundary line of Denton county was better defined by act of the 4th Legislature: [See page 32.] Through all these acts, and in fact through all acts creating counties, or changing the boundary lines of counties, a main point is kept in view; either to establish them by known lines or by imaginary ones drawn by course and distance from ascertained points. It is not allowable at this day to waive this rule of such long standing, and which is of such essential importance in keeping well defined the political divisions of the State, and adopt in its place a rule that will govern boundary lines by the residences of individuals. If one act of the kind is allowable, then it would be allowable to establish it as a rule. 3d. It is not deemed a safe policy to change the boundary lines of counties which are well established, unless some public convenience is subserved thereby, or at least it is made to appear that the citizens of the counties will be advantaged by the change.

I respectfully return the bill for your reconsideration.

J. W. THROCKMORTON.

Upon motion of Senator Dalrymple, rule was suspended, and a House bill incorporating the Burnet Iron Company, on its second reading, was taken up.

Upon motion of Senator Record, bill was amended by inserting the name of "E. Sampson," as one of the incorporators.

Upon motion of Senator Guinn, 6th Section was amended by striking out the word "heretofore."

Bill as amended, read second time, and passed to a third reading.

Upon motion of Senator Guinn, rule was further suspended, read third time, and passed by the following two-third vote:

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YEAS—Senators Blount, Boyd, Brown, Bumpass, Burney, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Truitt, Voigt and Yarbrow—23.

NAYS—None.

Upon motion of Senator Selman, rule was suspended, and a bill incorporating the Tyler Manufacturing Company, on its second reading, with amendments recommended by the Committee on Commerce and Manufactures, was taken up. Amendments made.

Bill as amended, read second time, and ordered to be engrossed.

Upon motion of Senator Foscue, rule was further suspended, bill read third time by caption, and passed by the following two-third vote:

YEAS—Senators Boyd, Bumpass, Burney, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Reeves, Reed, Saufley, Selman, Shelley, Truitt, Voigt and Yarbrow—22.

NAYS—None.

Upon motion of Senator Guinn, rule was suspended, and a bill to prevent judgments from becoming dormant and to create and preserve judgment liens, with a substitute recommended by the Judiciary Committee, was taken up.

Substitute adopted; read second time, and ordered to be engrossed.

Rule further suspended, read third time by caption, and passed.

Upon motion of Senator Shelley, rule was suspended, and a bill to amend an act concerning proceedings in the District Courts, approved March 16th, 1848, on its second reading, taken up, read second time, and ordered to be engrossed.

Rule was further suspended, read third time by caption, and passed.

Senator Neyland, Chairman of Committee on Engrossed Bills, made the following report:

COMMITTEE ROOM, }  
Austin, Oct. 12, 1866. }

*Hon. G. W. Jones, President of the Senate :*

The Committee on Engrossed Bills have examined and find correctly engrossed a bill to be entitled "An act to authorize the Police Court of Karnes county to levy and collect a special tax for the purpose of building a court house." Respectfully submitted.

W. M. NEYLAND,  
Chairman Committee on Engrossed Bills.

Upon motion of Senator Foscue, the following House bills on their first reading, were taken up, and referred as indicated.

House bill, defining the duties of sheriffs and constables in certain cases.

Read first time, and referred to Judiciary Committee.

House bill, to amend an act to prohibit the sale of intoxicating liquors in the neighborhood of Soule University," approved February 9th, 1860.

Read first time, and referred to Committee on Education.

House bill, to provide for the Tonkawa Indians.

Read first time, and referred to Committee on Indian Affairs.

House bill, making an appropriation for the Supreme Court room.

Read first time, and referred to Committee on Finance.

House bill, to repeal an act prescribing the order of determining cases in the Supreme Court, approved February 7th, 1861. And also to amend the 1st Section of an act entitled as aforesaid, approved March 27th, 1861.

House bill, to amend an act approved May 13th, 1846, regulating the fees of office in the District Court.

Read first time, and referred to Judiciary Committee.

House bill, incorporating the Houston Ice Company.

Read first time, and referred to Committee on Manufactures and Commerce.

House bill, incorporating the Stovall Academy.

Read first time, and referred to Committee on Education.

House bill making an appropriation to defray the expenses of removing the obstructions in the channel at Sabine Pass, read first time and referred to Committee on Internal Improvements.

House bill to consolidate in one act, and amend the several acts incorporating the city of Houston, in Harris county, with a message from the House announcing its refusal to adopt certain Senate amendments, was taken up.

Upon motion of Senator Guinn, the Senate adhered to its amendments; and, upon motion of Senator Foscue, a Committee of Conference was raised to act with a like committee on part of the House.

The Chair announced Senators Shelley and Foscue as Committee on part of the Senate.

House bill to incorporate the Trinity River Slack-water Navigation Company, with message from the House announcing its refusal to adopt the second amendment of the Senate to the bill.

Upon motion of Senator Neyland, the Senate adhered to its amendment, and a Committee of Conference was raised to act with a like committee on the part of the House.

The Chair announced Senators Foscue and Neyland as Committee on part of the Senate.

The hour having arrived for the consideration of the special order, viz: House bill to incorporate the Houston and Great Northern Railroad Company, bill was taken up.

Question being upon the motion of Senator Record to adopt the minority report, Senator Braswell moved to lay minority report upon the table.

Upon which Senator Record moved a call of the House.

Call sustained.

Senate being full, and the yeas and nays being called, the minority report was laid upon the table by the following vote:

YEAS—Senators Braswell, Boyd, Burney, Cook, Dalrymple, Foscue, Guinn, Jowers, Knox, Nelson, Randolph, Reed, Selman, Truitt and Voigt—15.

NAYS—Senators Blount, Brown, Bumpass, Cooley, Coppedge, Littleton, McDade, Record, Saufley, Shannon, Shelley and Yarbrow—12.

Question recurring upon the majority report, the amendments recommended by the majority were adopted.

Senator Record moved to amend the 6th section by inserting after the word 'Crockett,' the words 'and cross the Neches river at, or near as practicable to the south-east corner of the Henderson county line.'

Senator Guinn moved to lay the amendment upon the table; upon which the yeas and nays being called, the amendment was tabled by the following vote:

YEAS—Senators Braswell, Boyd, Bumpass, Cook, Dalrymple, Foscue, Guinn, Knox, Nelson, Randolph, Reed, Selman, Truitt and Voigt—14.

NAYS—Senators Blount, Brown, Coppedge, Jowers, McDade, Neyland, Record, Saufley, Shannon, Shelley and Yarbrow—11.

Question being upon the passage of the bill to a third reading, and the yeas and nays being called, it was passed to a third reading by the following vote:

YEAS—Senators Braswell, Boyd, Burney, Cook, Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Reed, Selman, Shelley, Truitt and Voigt—20.

NAYS—Senators Blount, Brown, Bumpass, Coppedge, Record, Saufley, Shannon and Yarbrow—8.

On motion of Senator Guinn, rule was suspended, bill read third time by caption, and passed by the following two-thirds vote :

YEAS—Senators Braswell, Boyd, Brown, Burney, Cook, Crippedge, Dalrymple, Fosue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Randolph, Reed, Selman, Shelley, Truitt and Voigt—21.

NAYS—Senators Blount, Bumpass, Cooley, Record, Saufley, Shannon and Yarbrow—7.

A message was received from the House, announcing that the House had laid upon the table a Joint Resolution endorsing the policy of the President of the United States, similar resolutions having been heretofore passed.

It was also announced that the House had passed the following bills, which, upon motion of Senator Burney, were taken up, and action had thereon, as indicated.

House bill to regulate proceedings in the County Court, pertaining to estates of deceased persons, read first time and referred to Judiciary Committee.

House bill supplemental to and amendatory of an act entitled "An act to regulate proceedings in the District Court," approved May 13th, 1846, read first time; rule suspended, read second time, and passed to a third reading; and upon motion of Senator Guinn, rule was further suspended, read third time, and passed.

House bill, to legalize the acts of the County Court of Washington County, read first time, and referred to Judiciary Committee.

House bill, to regulate the sale, alienation, &c., of animals in this State, and to require butchers to report to the Police Court all animals slaughtered, &c., read first time, and referred to Committee on State Affairs.

House bill, to supply the lost records of the County Surveyor's office of Tyler county, read first time, and referred to Committee on State Affairs.

House bill, to amend the 16th section of an act to regulate Railroad Companies, approved February 7th, 1854, read first time, and referred to Committee on Internal Improvements.

House bill, to incorporate the Agricultural, Mechanical and Blood Stock Association of Texas, read first time, and referred to Committee on Manufactures and Commerce.

House bill, incorporating the Houston Insurance Company, read first time, and referred to Committee on Commerce and Manufactures.

House bill, for the relief of Milton M. Justice, read first time, and referred to Committee on Private Land Claims.

Senate bill, to revive the incorporation of the town of Linden, Davis county, formerly Cass county, passed January 24th, 1856.

And that the House had reconsidered the vote refusing to concur in the Senate amendment to 43d line, 27th section, of House bill, incorporating the city of Houston, and had concurred in said amendment, and appointed Messrs. Giddings, Kyle and Bonner, as a Committee of Conference, to act with a like Committee from the Senate, on the disagreement of the two Houses on the several other amendments proposed by the Senate.

Senator Saufley, with leave, introduced a bill to amend sections 5, 6, 7, 8, 9, 10 and 11, of an act to regulate fees of office, approved March 20th, 1848.

Read first time, and referred to Judiciary Committee.

The hour having arrived for consideration of Special Order, viz, House bill regulating time for sessions of Supreme Court, bill was taken up, read second time, and passed to its third reading.

Upon motion of Senator McDade, rule suspended, bill read third time, and passed.

A bill to provide for the support, maintenance and education of the indigent children of deceased Confederate soldiers, on its second reading, was taken up.

Bill read second time, and ordered to be engrossed.

Upon motion of Senator Guinn, rule suspended, bill read third time by caption, and passed.

Senator Neyland made the following report:

*Hon. G. W. Jones, President Senate:*

The Committee on Engrossed Bills have examined and find correctly engrossed:

A bill to be entitled "An act to incorporate the Tyler Manufacturing Company."

W. M. NEYLAND, Chairman.

Upon motion of Senator Boyd, the Senate adjourned until 9 o'clock to-morrow morning.

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SENATE CHAMBER, }  
Oct. 13, 1866. }

Senate met pursuant to adjournment.  
Prayer by the Chaplain.